

Andre Nesbit

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FILED

2023 FEB 21 PM 1:17

In The District Court of Central California

CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES

BY



Andre Nesbit,

)

Damages: \$ 501,000,000

Plaintiff,

)

-and-

)

Case: **2:23-CV-01280-ODW-JCx**

Domino's Pizza's LLC.

)

Jon Doe

)

Somerset County Courthouse)

Complaint

Parties and Jurisdiction

1. The plaintiff, for all times mentioned herein, was and is a resident of Los Angeles County, State of California.
2. The defendants, for all times mentioned herein, was and is a resident of and conducts business in Los Angeles County, State of California.
3. The Court has subject matter Jurisdiction over the claims presented under Article VI Section 10 of the California Constitution.
4. Personal jurisdiction and venue are proper in this Superior Court because the defendant caused harm to the plaintiff in Los Angeles County.

Legal Authority

1. **CACI 1600.Intentional Infliction of Emotional Distress**

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- To establish this claim, [name of plaintiff] must prove all of the following: 1. That [name of defendant]'s conduct was outrageous; 2. [That [name of defendant] intended to cause [name of plaintiff] emotional distress;] 2. [or] 2. [That [name of defendant] acted with reckless disregard of the probability that [name of plaintiff] would suffer emotional distress, knowing that [name of plaintiff] was present when the conduct occurred;] 3. That [name of plaintiff] suffered severe emotional distress; and 4. That [name of defendant]'s conduct was a substantial factor in causing [name of plaintiff]'s severe emotional distress.
2. **1704. Defamation per se** - Essential Factual Elements (Private Figure - Matter of Private Concern) [Name of plaintiff]
- claims that [name of defendant] harmed [him/her/nonbinary pronoun] by making [one or more of] the following statement(s): [list all claimed per se defamatory statement(s)]. To establish this claim, [name of plaintiff] must prove all of the following: Liability 1. That [name of defendant] made [one or more of] the statement(s) to [a person/persons] other than [name of plaintiff]; 2. That [this person/these people] reasonably understood that the statement(s) [was/were] about [name of plaintiff]; 3. [That [this person/these people] reasonably understood the statement(s) to mean that [insert ground(s) for defamation per se, e.g., "[name of plaintiff] had committed a crime"]]; 4. That [name of defendant] failed to use reasonable care to determine the truth or falsity of the statement(s).

Definitions

1. The term **defendant** for all times herein is defined as the following: the term defendant encompasses all employees working on behalf of Domino's Pizza's store #7801.
2. The term **Jon Doe** for all times herein is defined as the following: the specific employee mentioned in complaint who interacted with the plaintiff. Appearance: the defendant's appearance is 5'10-6'0, over two hundred pounds, middle eastern or hispanic origin, medium length hair, and looked as though he could be in his possible early twenties or younger. His first name is David.

Causes of Action

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First Cause of Action (Domino's Pizza LLC. (\$250,000,000))

Intentional Infliction of Emotional Distress

Argument and Summary of Facts

1. On 2/17/2023 at 9:53 pm, at store #7801 for online order #2867 and store order #867, the defendant's conduct was outrageous, for the defendant called the plaintiff a "Black punk ass bitch", Placed the receipt on the plaintiff nose, falsely claimed the plaintiff could not pay for his meal, and threatened to call the police to have him removed after the plaintiff previously filed multiple online complaints and a letter to corporate and the management at the store notifying them of the behavior. This card was paid for with the plaintiff's Visa debit card ending with 9352. In addition to this Domino's Pizza LLC has also made false criminal claims against the defendant such as theft and terroristic threats, leading to criminal warrants. Also, On 2/20/2023, after the incident that happened on 2/17/2023, in an attempt to harass me the store kept deleting my order that was placed online and refused to serve me, which the plaintiff has the electronic receipt of. This proves that this company as a whole is racist against black men and is going out of its way to harass black men such as the plaintiff. Even more disturbing, it brings the defendant pleasure to act in this manner: sickening.
2. The defendant meant to cause the plaintiff severe emotional distress, for the defendant did not want the plaintiff eating there, so in an effort to prevent the plaintiff from ordering at the store and filing another negative complaint, the plaintiff decided to engage in behavior so egregious and defaming that the plaintiff would decide to never eat at the store again. Dominos wishes to embrace racist and segregationist culture of the sixties and prior, and they want to be sure that the African-Americans who live in the community they do business in know that. Domino's Pizza needs to do business in another country where that behavior is legal. The United States and the District of Columbia have deemed this behavior illegal. Domino's Pizza LLC. must be shutdown completely.
3. The plaintiff suffered severe emotional distress, for this was done in front of many people: staff and customers included.
4. The defendant's behavior was a substantial factor, if not the only factor, in causing the plaintiff emotional distress.

Second Cause of Action (Jon Doe) (\$1,000,000)

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Intentional Infliction of Emotional Distress

Argument and Summary of Facts

5. On 2/17/2023 at 9:53 pm, at store #7801 for online order #2867 and store order #867, the defendant's conduct was outrageous, for the defendant called the plaintiff a "Black punk ass bitch", Placed the receipt on the plaintiff nose, falsely claimed the plaintiff could not pay for his meal, and threatened to call the police to have him removed after the plaintiff previously filed multiple online complaints and a letter to corporate and the management at the store notifying them of the behavior. This card was paid for with the plaintiff's Visa debit card ending with 9352. Also, On 2/20/2023, after the incident that happened on 2/17/2023, in an attempt to harass me the store kept deleting my order that was placed online and refused to serve me, which the plaintiff has the electronic receipt of. This proves that this defendant is racist against black men and is going out of its way to harass black men such as the plaintiff. Even more disturbing, it brings the defendant pleasure to act in this manner: sickening.
6. The defendant meant to cause the plaintiff severe emotional distress, for the defendant did not want the plaintiff eating there, so in an effort to prevent the plaintiff from ordering at the store and filing another negative complaint, the plaintiff decided to engage in behavior so egregious and defaming that the plaintiff would decide to never eat at the store again.
7. The plaintiff suffered severe emotional distress, for this was done in front of many people: staff and customers included.
8. The defendant's behavior was a substantial, if not the only factor, in causing the plaintiff emotional distress.

Third Cause of Action (Domino's Pizza LLC.) (\$250,000,000)

Defamation Per Se

Argument and Summary of Facts

1. The defendant verbalized to the its entire staff that plaintiff could not pay for his meal because he was black, by saying the plaintiff is a black punk ass bitch, by stating the plaintiff stole money, and by stating the plaintiff terroristically threatened a member of its staff.
2. The defendant knew these statements were about the plaintiff; they said these comments to him and they put their false statements in a criminal police report with the plaintiff's name and birthday.

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3. The defendant had no evidence of any accusations, and they took these statements to mean I'm a criminal, I'm weak, I'm poor, I'm not a citizen with rights, and that I cannot pay for the orders I place.

4. The defendant put no effort into determining the truth of these statements.

Fourth Cause of Action (Domino's Pizza LLC.)

An Issuance for a Writ of Injunction

1. The plaintiff is seeking an issuance for a writ of injunction **prohibiting Domino's Pizza LLC. from doing business in California or any othe State of the United States of America**, for they do not respect the laws and citizens of this country and wish to inflict pain and injury on its citizens. Domino's is not capable of following **all** the laws of our great country and they have absolutely no control over its employees.

Fourth Cause of Action (Somerset County Courthouse)

An Issuance for a Writ of Injunction

The plaintiff is seeking an insuance for a Writ of Injunction **commanding Somerset County Courthouse to dismiss case 20000478 with prejudice**, for it was all based on a lie by Domino's Pizza LLC to harass the plaintiff.

PRAYER FOR RELIEF

- \$120,750,000 for Pain and Suffering
- \$120,750,000 for Emotional Distress
- \$120,750,000 for Punitive Damages.
- \$120,750,000 for Mental Anguish
- Injunctive Relief

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Pro Se

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Signature: **Andre Nesbit**

2/21/2023